

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ROBERT BUTTERWORTH,  
Plaintiff,

v.

WESTON RACQUET CLUB, INC., 40  
LOVE, INC. AND RICHARD J. TRANT,  
Defendants.

C.A. No. 1:04-CV-10425 MEL

WESTON RACQUET CLUB, INC.,  
Plaintiff-in-Counterclaim,

v.

ROBERT BUTTERWORTH,  
Defendant-in-Counterclaim.

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to FRCP 41(a)(1)(ii), the parties to the above-entitled action, having agreed to a settlement of all claims and counterclaims among them, hereby stipulate that all claims and counterclaims be dismissed with prejudice, with each party bearing its or his own costs and attorney's fees and waving all rights of appeal.

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Respectfully submitted,

The Plaintiff, Robert Butterworth  
By his attorneys

  
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Joseph L. Edwards, Jr. BBO #564288  
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100 Cambridge Street, Suite 2200  
Boston, MA 02114  
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Defendant and Counterclaimant Weston  
Racquet Club, Inc. and Defendant 40 Love, Inc.  
and Richard J. Trant  
By their attorney,

  
Patrick J. Bannon, Esq. BBO #635523  
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Date: October 19, 2007

**CERTIFICATE OF SERVICE**

I hereby certify that the attached Stipulation of Dismissal With Prejudice was filed through the ECF system on October 25, 2007, and a copy was served electronically to all parties as identified on the Notice of Electronic Filing (NEF) on October 25, 2007.

By: /s/ Patrick J. Bannon